

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RAHSAN HARRIS,

Plaintiff,

- versus -

CITY OF NEW YORK; JAMAICA
HOSPITAL; DEPARTMENT OF
CORRECTIONS,

Defendants.

ORDER AND CIVIL JUDGMENT

13-CV-4473

JOHN GLEESON, United States District Judge

On July 26, 2013, plaintiff Rahsan Harris, filed this *pro se* action pursuant to 42 U.S.C. § 1983.¹ By order dated August 29, 2013, I dismissed the complaint, but granted Harris 30 days leave to file an amended complaint, ECF No. 11. I advised Harris that if he failed to comply with the order within the time allowed, the case would be dismissed pursuant to Federal Rule of Civil Procedure 12(h)(3) and 28 U.S.C. § 1915(e)(2)(B)(ii). Harris has failed to respond to my August 29, 2013 order. Accordingly, it is

¹ The action was transferred to this Court from the United States District Court for the Southern District of New York by order dated August 7, 2013, ECF No. 3.

ORDERED, ADJUDGED AND DECREED: that the action is hereby dismissed without prejudice. Fed.R.Civ.P. 12(h)(3); 28 U.S.C. § 1915(e)(2)(B)(ii). I certify pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order and Judgment would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

John Gleeson, U.S.D.J.

Dated: October 3, 2013
Brooklyn, New York